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# REVIEW OF THE NATIONAL CEMETERY SYSTEM ADMINISTERED BY THE VETERANS' ADMINISTRATION; ALSO H.R. 6146

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Cap. 540

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Extend cemeteries (U.S.)

## HEARING

BEFORE THE

## SUBCOMMITTEE ON COMPENSATION, PENSION, INSURANCE, AND MEMORIAL AFFAIRS

OF THE

## COMMITTEE ON VETERANS' AFFAIRS HOUSE OF REPRESENTATIVES

NINETY-SIXTH CONGRESS

SECOND SESSION

MAY 12, 1980

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# OVERSIGHT ON NATIONAL CEMETERY PROGRAM

MONDAY, MAY 12, 1980

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMPENSATION, PENSION,
INSURANCE AND MEMORIAL AFFAIRS,
OF THE COMMITTEE ON VETERANS' AFFAIRS,
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 8:30 a.m., in room 334, Cannon House Office Building, Hon. G. V. (Sonny) Montgomery (chairman of the subcommittee) presiding.

Mr. MONTGOMERY. We would now like to ask Marjorie Holt if she would come forward to the witness table, along with the Honorable Charles Blumenthal. I believe I have had the privilege of meeting Mr. Blumenthal. We think a lot of Mrs. Holt. If it is within reason, she is going to get it out of this subcommittee, I promise you.

Today, the subcommittee will be reviewing the national cemetery program administered by the Veterans' Administration.

I have requested the Veterans' Administration to provide the subcommittee with a progress report on the goal of the Veterans' Administration to establish or designate at least one national cemetery as a regional cemetery in each Federal region, including the latest information on the cemeteries planned for Federal regions IV and V.

During the 96th Congress, a number of new authorizations were approved by Congress. The Veterans' Administration has been requested to provide the subcommittee with the latest information on these new provisions, which include the payment of $150 burial allowance to States or political subdivisions of a State, for expenses incurred in the burial of a veteran in a State cemetery or section thereof, which has been set aside solely for veterans; the authorization of slate or other material compatible with the cemetery in which it is placed when furnishing a headstone or marker for a veteran's grave; and permitting the payment of a cash amount in lieu of a VA provided headstone or marker in certain instances.

Another new program authorized by the 95th Congress is a Federal/State matching program authorizing the Veterans' Administration to assist individual States in establishing, expanding and/or improving veterans' cemeteries. The subcommittee would like to know how many States have expressed an interest in this program, how many States have formally applied for a grant under this program, and how many requests for a grant have been approved or rejected I have also asked the Veterans' Administrator if the $5 million the Veterans' Administration has requested for this program for fiscal year 1980, and again for fiscal year 1981, is sufficient to satisfy the pending requests before the Veterans' Administration for assistance under this State veterans cemetery program.

Proper and adequate maintenance of national cemeteries is of continuing concern and interest to veterans and their families. Budget restraints imposed upon the National Cemetery System are serving to reduce the number of personnel required by the cemetery system to carry out its mission. I know the Veterans' Administration is operating under reduced budgetary and personnel levels imposed by the Office of Management and Budget, and that these budget cuts are having a serious impact on the capability of the VA to adequately carry out its mission. The Veterans' Administration has been requested to inform the subcommittee how these budget restraints are affecting the carrying out of the national cemetery program during the present fiscal year and the budget requested for fiscal year 1981, for the Department of Memorial Affairs.

The subcommittee also wants to know the status of the Advisory Committee on Cemeteries and Memorials, which had been earmarked for termination by Executive order of the Administrator, despite the fact that this Advisory Committee was established by Congress, and can only be terminated by an act of Congress.

I have requested the Veterans' Administration to provide the subcommittee with its position and comments on H.R. 6146, which would authorize the Administrator to provide headstones and markers for certain close relatives of veterans, if such relatives are buried in State veterans' cemeteries.

[The bill follows:]

I

96TH CONGRESS
1ST SESSION

# H. R. 6146

To amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to provide headstones and markers for certain close relatives of veterans if such relatives are buried in State veterans' cemeteries.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 1979

Mrs. HOLT introduced the following bill; which was referred to the Committee on Veterans' Affairs

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# A BILL

To amend title 38, United States Code, to authorize the Administrator of Veterans' Affairs to provide headstones and markers for certain close relatives of veterans if such relatives are buried in State veterans' cemeteries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 906(a) of title 38, United States Code, relating to headstones and markers, is amended by adding at the end the following new paragraph:

"(4) Any individual described in section 1002(5) of this title who is buried in a State veterans' cemetery.".

SEC. 2. The amendment made by the first section of this Act shall take effect on October 1, 1980.

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## STATEMENT OF HON. MARJORIE HOLT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND, ACCOMPANIED BY CHARLES S. BLUMENTHAL, MEMBER, HOUSE OF DELEGATES, STATE OF MARYLAND

Mrs. HOLT. Thank you, Mr. Chairman. I really appreciate your interest in H.R. 6146 and appreciate your having this early morning hearing. I think this a good omen. If you are willing to get up at this early hour and get going, I think this is great.

Well, Mr. Chairman, as we have discussed, because of the shortage of space in the national cemeteries, the State of Maryland several years ago started developing a system of five veterans' cemeteries to serve the needs of Maryland veterans.

The State has attempted to develop and operate these cemeteries according to standards that make them comparable to the best of the national cemeteries. I believe the members of this subcommittee and the entire Veterans' Affairs Committee would want to commend the State of Maryland for this fine effort and help in any way possible.

Under existing law, the Veterans' Administration provides grave markers for veterans and next of kin buried in national cemeteries, but the grave markers are provided only for the veterans buried in the State cemeteries.

When the current law was enacted, State veterans' cemeteries were not envisioned and no provision was made for next-of-kin grave markers. My bill, H.R. 6146, remedies that problem.

Mr. Chairman, I am certainly not an expert in this field. I am privileged this morning to have for a more complete discussion of the need for this legislation a real expert. I hope that you will permit me to introduce the Honorable Charles S. Blumenthal, a member of the Maryland House of Delegates, who has been involved in the State veterans' cemetery program since its inception. He works diligently for the veterans of our State. He does an outstanding job. It was he who brought this problem to the attention of myself and you, Mr. Chairman.

I am pleased to present him to this subcommittee.

Mr. MONTGOMERY. Mr. Blumenthal, we will be very glad to hear from you.

## STATEMENT OF CHARLES S. BLUMENTHAL, MARYLAND HOUSE OF DELEGATES

Mr. BLUMENTHAL. Thank you, Mrs. Holt.

Chairman Montgomery and members of this distinguished committee, as a veteran and State legislator I am fully cognizant of the great work that this committee has performed on behalf of the veterans of our country. I am pleased to appear before you this morning to call your attention to an inequity that can only be rectified by the U.S. Congress.

As you may know, the State of Maryland and at least four other States are in the process of completing and operating State veterans cemetery systems. We believe that our cemeteries in Maryland are comparable to the best of our national cemeteries. They are available at no cost to the veteran and his next of kin, including the cost of interment and perpetual care.

We in Maryland take a great deal of pride in this benefit to our veterans, and we are constantly doing everything that we can to improve our cemetery system. Our State is in the process of completing five cemeteries of approximately 100 acres each in separate locations throughout our State.

Our closest cemetery is located on route 301, a few miles south of Upper Marlboro and approximately 25 miles from this Capitol. This cemetery is the recipient of a beautiful electronic carillon that was donated by the veterans of Maryland through their individual contributions. These men and women have also donated three beautiful tapered aluminum flagpoles, and the State is now in the process of providing a beautiful open-sided chapel building in which funeral services will be held and is also in the process of completing administration and maintenance buildings.

However, there is one problem with which only the Congress of the United States can assist us. That is the problem of uniform grave markers. Our State regulations require the flat gravemarkers that are provided without cost by the Veterans' Administration. However, the VA cannot provide a gravemarker for the next of kin as they do at the national veterans' cemeteries. This has the disastrous effect of destroying the continuity and appearance of our cemeteries. They have also interpreted the existing law to read that they cannot provide gravemarkers for the next of kin at State veterans' cemeteries. They believe that the only remedy is to seek a change in the existing legislation, and I am here to say that I agree with them.

I have checked with the administration of our Cheltenham State Veterans' Cemetery this past Friday afternoon and I can report that as of 5 o'clock this afternoon we will have a total of 598 interments, 47 of which will be for the next of kin. This represents a proportion of slightly more than 8 percent of the total interments. This percentage is expected to be fairly constant and it would mean that at Cheltenham, which has been open for almost 3 years, that we could expect a need for approximately 20 or fewer additional gravemarkers for the next of kin on an annual basis. Throughout our State when all of our cemeteries are operational, it would mean an established need for approximately 100 or less additional gravemarkers for the next of kin on an annual basis.

Members of the subcommittee, the cost is minimal. The benefits are great. I would urge you to enact this much-needed legislation as quickly as possible. Should you have any questions at this time, I would be most happy to attempt to answer them.

In closing, I wish to again express my gratitude as a veteran for the many accomplishments of this committee.

I have provided an attachment of a letter from the Veterans' Administration which indicates that this is legislation that is required to provide this additional service.

Thank you very much, sir.

[The information follows:]

VETERANS ADMINISTRATION,
NATIONAL CEMETERY SYSTEM,
*Washington, D.C., February 3, 1976.*

MR. CHARLES S. BLUMENTHAL,

*Chairman, County Affairs Committee, 27th Legislative District, Prince George's County, House of Delegates, Annapolis, Md.*

DEAR MR. BLUMENTHAL: Further reference is made to your letter of November 25, 1975 requesting that the Maryland Veterans' Cemetery System be granted the same headstone benefits as those provided in the National Cemetery System under the provisions of Public Law 93-43, approved June 18, 1973, which amended Title 38, United States Code. In my response dated December 4, I advised you of my request to the Veterans Administration General Counsel for a determination as to the feasibility of granting such an exception.

Under date of January 12, 1976, after examining the applicable laws, the General Counsel rendered an opinion, appropriate portions of which are quoted as follows:

"2. Title 38, United States Code governs the furnishing of headstones and markers for those classes of people eligible for same.

"3. Eligibility for the receipt of a headstone or marker by next-of-kin is governed by Section 906 of Title 38 U.S.C. entitled "Headstones and markers", and Section 1002 entitled "Persons eligible for interment in national cemeteries". The subparagraphs which would apply to this request are 906(a)(1) and (a)(2):

(a) The Administrator shall furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

(1) Any individual buried in a national cemetery or in a post cemetery.

(2) Any individual eligible for burial in a national cemetery (but not buried there), except for those persons enumerated in Section 1002(4), (5), and (6) of this title.

"4. The exclusion from eligibility for receipt of a headstone or marker of those classes of people is enumerated in 38 U.S.C., Section 1002(4), (5), and (6) of this title, and reads as follows:

(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Administrator, unmarried adult child of any of the persons listed in paragraphs (1) through (4).

(6) Such other persons or classes of persons as may be desigated by the Administrator.

"5. It is apparent that next-of-kin are not eligible for a headstone or marker if buried in cemeteries other than national or post cemeteries. Therefore, under this section, those next-of-kin buried in State Veterans' Cemeteries are not eligible for receipt of headstones or markers.

"6. Mr. Blumenthal notes in his letter that markers are provided for next-of-kin buried in a national cemetery. This is correct, inasmuch as any individual buried in a national cemetery or in a post cemetery is eligible for a marker under Section 906(a)(1). However Section 906 (a)(2) also notes the exceptions to the case for those next-of-kin eligible for burial in a national cemetery but who are not actually buried in a national or post cemetery. It is to these individuals only that the exception is made. In other words, the crucial difference of whether next-of-kin may receive a marker is in the fact of whether the next-of-kin is actually buried in the national cemetery at the time of request for marker. If only eligible, but not buried there, then the exceptions related to "next-of-kin" take effect. "Next-of-kin" are excluded by law if buried in a cemetery other than a national or post cemetery."

While we understand the mission of the Maryland Veterans' Cemetery System and appreciate the desire of the legislature to relieve some of the burden on national cemeteries, in administering the National Cemetery and headstone programs, we are bound by specific legislation, as related above. I regret, therefore, that headstone benefits as they apply to dependents of veterans cannot be granted in non-Federal cemeteries.

Sincerely yours,

JOHN W. MAHAN,
*Director.*

Mr. MONTGOMERY. Thank you, Mr. Blumenthal. Thank you, Mrs. Holt.

Before calling on Mr. Edgar to make some comments and questions, I would like to thank Mr. Edgar for being here this morning. He has certainly been faithful in our subcommittee hearings. In fact, he has not missed one subcommittee hearing.

As to your testimony, Mrs. Holt and Mr. Blumenthal, we want to commend you, and then we will get into the nuts and bolts issues in a few minutes. We want to commend you for your State taking the lead in working on State cemeteries. Only three States so far, I believe, have gone this route. It seems to make a lot of sense if the States can be involved and put the cemeteries where the people are.

Just for the record, I am not sure these regional cemetery concepts are going to work that well where you move the veteran 200 or 300 miles away from his home. I will ask Mr. Noll, after you have testified this morning, if maybe he can comment on this changing of the law, whereas I understand it would be the Government that would pay for the next of kin, for the markers to be paid by the Federal Government.

What is the cost of these markers? What is the cost to the Government now for the markers in one of these cemeteries?

Mr. BLUMENTHAL. I am sure Mr. Noll would know that much better than I. The last time I checked it was approximately $85. I don't know if the cost has varied since then.

Mr. MONTGOMERY. I am concerned about the cost and the potential for throwing our budget out of balance. If it is not a big cost, I am sure we could find the funds from some other source.

Mrs. Holt?

Mrs. HOLT. I was just going to say, Mr. Chairman, that with an expected 20 additional markers annually, you can see that that would be a very nominal amount. If the Federal Government had to go to the expense to bury them in a Federal cemetery, they would be allowed to provide that marker. So, really, I think we are effecting a savings by providing the land there in the State and not having their transportation costs.

Mr. MONTGOMERY. That is an excellent point. I agree with you. How many regions have we in the United States? I am told it is 10. Well, here is an example in the southeastern region, the closest the Mississippians could be buried. Now it seems that the airport in Atlanta is where they are going to build the regional cemetery and they would have to bury them under the Atlanta Airport. I am exaggerating a little. It is 15 or 20 miles from the Atlanta Airport. That is where President Carter wants it. We want to put it in Alabama. So it is a big problem.

Do you care to comment? It seems that your State is really taking the lead in some of these veterans programs. I know you are working on a State veterans home. How is that coming along?

Mr. BLUMENTHAL. We have just completed the appropriation for the first phase of construction. We have all the design work complete and we have appropriated about $6,600,000 in our last budget for the home. For the veterans cemeteries we have already appropriated almost $5 million. We have been very good in our State about providing programs for veterans. We are very proud of our veterans and we hope that the rest of the States will follow.

There have been indications throughout the States, according to representatives of the major veterans organizations, that there are similar programs being initiated.

Mr. MONTGOMERY. We were able in Mississippi this year to get an authorization bill that would direct the State veterans officers to make application for a State veterans home. So you are way ahead of us on that. We have not even gotten into the cemeteries. We have a lot of cemeteries down there, but the Confederate and Yankee cemeteries, there hasn't been much done on those.

Mr. Edgar?

Mr. EDGAR. As a Yankee, I think that it might make some sense to have the graves next to the airport there for fast takeoff and easy delivery. [Laughter.]

I think that you make a good point. When this full committee had a subcommittee on just cemeteries and burial benefits, I remember former Congressman Bob Cornell and I used to be very concerned about the number of witnesses who would testify to the need for having a veterans cemetery, a national cemetery, every 50 miles so that a veteran within that 50-mile radius could have access to a cemetery. I know there is interest in putting one in each of the 10 regions. Yet, I think the travel time and distance for a family and the pressures and burdens and expense that it puts on a family is very great.

I also think that there is quite an energy problem we are facing, with gasoline supplies being very limited and at a very high cost, and that we are adding that burden to the funeral expenses. I think that we ought to explore any possibility of giving the veteran the honor and respect that he or she deserves, but to recognize that we may not be able to provide a national funeral, national service, and national plot for each of the Nation's war veterans.

I think your suggestion is an interesting one. I think we ought to pursue it.

Mr. BLUMENTHAL. I agree with everything you said, sir.

Mr. EDGAR. Thank you for your testimony.

Mr. MONTGOMERY. Thank you, Mrs. Holt and Mr. Blumenthal.

Our next witness will be Mr. Carl T. Noll who is the Chief Memorial Affairs Director of the Veterans' Administration. You might introduce who is with you today.

Mr. Noll is one of our most conscientious and dedicated public servants. He is very active in his job and he will go anywhere and do anything to help the veterans and their families. I am very glad to have you here today.

Mr. NOLL. Thank you, Mr. Chairman. On behalf of the Administrator of Veterans' Affairs, Mr. Cleland, I would express my appreciation for appearing before the overview committee this morning.

If I may, I would like to introduce my associates who will participate with me in answering any questions you may have. On my right, Mike Jarvis, consultant, staff associate, and on my left, John Manning, Office of the General Counsel.

Mr. MONTGOMERY. I believe they were here last year.

Mr. NOLL. Yes. Mr. Bob Beller, Director of Cemetery Service; Mr. Don Wardle, Director, Monument Service; Mr. Herbert B. Mars, Department of Veterans' Benefits, and Don Hower, Director of Land Management, Office of Construction.

Mr. Chairman, you have my complete statement before you. With your permission and in the interest of saving time, I would like to address each aspect included in your letter of April 18, and summarize my opening statement, if you please, in order to save us some time here this morning.

Mr. MONTGOMERY. Without objection, it is so ordered.

[The prepared statement follows:]

STATEMENT OF CARL T. NOLL, CHIEF MEMORIAL AFFAIRS DIRECTOR, DEPARTMENT OF MEMORIAL AFFAIRS, VETERANS' ADMINISTRATION

Mr. Chairman and Members of the Subcommittee: On behalf of Administrator of Veterans Affairs Max Cleland, I want to thank you for the opportunity to appear before you today at the oversight hearing on the National Cemetery System administered by the Department of Memorial Affairs.

Your letter of April 18, 1980 to the Administrator of Veterans Affairs asked for a progress report on the Veterans Administration goal to establish or designate one National Cemetery as a Regional Cemetery in each Federal Region, including the latest information on the two cemeteries planned for Federal Regions IV and V; the progress on the new authorizations provided in Public Law 95–476, including the State Cemetery Grants Program; national cemetery maintenance vis-a-vis budget restraints and reduction in personnel in this current Fiscal Year and the cuts planned for fiscal year 1981; and information regarding the Advisory Committee on Cemeteries and Memorials.

In my testimony last year on May 2, 1979, I shared with you the progress made up to that time on the five new National Regional Cemeteries and the status of the new cemeteries planned for Regions IV and V.

I am pleased to be here before you today to review the progress we have made since last year in relation to our goal to establish at least one National Cemetery as a Regional Cemetery in each Federal Region.

The National Cemetery sites for Federal Regions IV and V were selected by the Administrator on October 30, 1979. As presently planned, the new national cemetery for Federal Region IV will be located at Fort Gillem, Georgia, and for Federal Region V at Fort Custer, Michigan. These designations complete our objective to adhere to the Regional Cemetery Concept, that is, to provide one large national cemetery in each of the ten Federal Regions in the United States and one additional cemetery in the Washington, D.C. area. The regional concept makes it possible to provide a place of burial for the greatest number of veterans in national cemeteries closest to their homes.

I would like to name the ten Regional Cemeteries, sir, and the one addition National Cemetery and give you the status of each.

1. Federal Region I: Massachusetts National Cemetery, at Bourne, in the Cape Cod area; to open October 1980.
2. Federal Region II: Calverton National Cemetery, NY; opened Sept. 1978.
3. Federal Region III: Indiantown Gap National Cemetery, PA; to open June 1982
4. Federal Region IV: Fort Gillem site, GA; to open October 1982.
5. Federal Region V: Fort Custer site, MI; to open October 1982.
6. Federal Region VI: Houston National Cemetery, TX; open to 2,000+.
7. Federal Region VII: Jefferson Barracks National Cemetery, St. Louis, MO; open to 2,000+.
8. Federal Region VIII: Fort Logan National Cemetery, Denver, CO; open to 2,000+.
9. Federal Region IX: Riverside National Cemetery, CA; opened Nov. 1978.
10. Federal Region X: Willamette National Cemetery, Portland, OR; open to 2,000+.
11. Washington, D.C. area: Quantico National Cemetery, VA; to open May 1982.

With the opening of our newest cemeteries in October 1982, we will have achieved our goal of providing the greatest good for the greatest number of veterans in accord with the Regional Cemetery Concept adopted by the Veterans Administration.

We have a total of 109 national cemeteries in our National Cemetery System which are located in 38 of our 50 states, including Hawaii and Alaska, and one in Puerto Rico. Twelve states do not have a national cemetery: Connecticut,

Delaware, Idaho, Montana, Neveda, New Hampshire, North Dakota, Rhode Island, Utah, Vermont, Washington, and Wyoming. Moreover, in five of the states that have at least one national cemetery, interments are no longer being accepted. Alabama has one national cemetery and it is closed; Arizona, one, and it is closed; Maryland, three, and they are closed; and New Jersey, two, and they are closed; and Maine, one, and it is closed.

Last year, on May 2, 1979, I addressed our implementation of the program to aid the states to establish, expand and improve state veterans' cemeteries as authorized by Public Law 95–476. It seems appropriate at this point, Mr. Chairman, to address our States Cemetery Grants Program which authorizes the Administrator of Veterans Affairs to provide financial assistance on a 50–50 matching basis to states that wish to establish, improve or expand their veterans' cemeteries.

Any state is eligible to apply for financial assistance for the purpose of establishing, improving or expanding their veterans' cemeteries. We have had more than 30 states express an interest in our State Cemetery Grants Program. However, only four states so far submitted a formal application to participate in the program.

Although the law authorized $5,000,000 to be appropriated for fiscal year 1980 and for each of the four succeeding fiscal years for this program, no portion of the funds appropriated has been spent so far. Based on present indications, it appears we will not need additional funds for fiscal year 1981.

Mr. Chairman, I would now like to review the progress on the other new authorizations provided in Public Law 95–476. Section 203 of that law amended title 38, U.S. Code, to provide that a Government headstone or marker "may be of any material, including but not limited to marble, granite, bronze, or slate, requested by the person entitled to request such headstone or marker if the material requested is determined by the Administrator (1) to be cost effective, and (2) in a case in which the headstone or marker is to be placed in a national cemetery, to be aesthetically compatible with the area of the cemetery in which it is to be placed."

Following the enactment of Public Law 95–476 on October 18, 1978, we advised our Government contractors to be prepared to use any material, including slate, in the manufacture of our headstones and markers.

I would like to point out that so far, we have had no request for slate or any other different material but we are prepared to honor such request. Traditionally, marble, granite and bronze have been used for headstones and markers both commercially and in Government. This is still the case.

And now, Mr. Chairman, I will speak to the progress made on two new authorizations in Public Law 95–476 that are administered by the Department of Veterans Benefits: the payment of a $150 plot allowance to states and the payment of a cash amount in lieu of a VA provided headstone or marker.

Since September 1, 1973, the effective date of Public Law 93–43 (the National Cemeteries Act of 1973), the Veterans Administration has been authorized to pay a plot or interment allowance of $150 where eligible veterans are buried in a cemetery other than a national cemetery. The payment is made to the cemetery owner or to the person who pays for the interment.

Public Law 95–476 extended payment of the $150 plot allowance to a state if a veteran, eligible for burial in a national cemetery, is buried in a cemetery or a section of a cemetery owned by that state or a political subdivision of that state which is used solely for the interment of eligible veterans.

From October 18, 1978, the inception of the program, to March 31, 1980, 1,153 plot allowances have been paid, totaling $172,950.

Furthermore, the Veterans Administration furnishes, upon the request of the next of kin, at no charge, an appropriate Government headstone or marker to mark the graves of veterans and their dependents interred in national cemeteries and of veterans interred in private cemeteries. Public Law 95–476 authorizes payment, as reimbursement, to the person who pays for a headstone or marker procured from private sources. The amount of reimbursement is based on the average actual cost of headstones and markers furnished by the Government each fiscal year. The amount authorized for reimbursement for fiscal year 1980 is $53.

Since the effective date of this program, October 18, 1978, 23,311 payments have been made, totaling $1,156,000.

I would like now to address the subject of proper and adequate maintenance of National Cemeteries in relation to the budget restraints and reduction in personnel during the current fiscal year and the cuts planned for fiscal year 1981.

There has been minimal impact on the Department of Memorial Affairs so far in fiscal year 1980. We have had no restraints imposed except for the freeze in hiring and cost of inflation.

For fiscal year 1981, General Operating Expenses for the Department of Memorial Affairs will be reduced by $3,021,000. The reductions in our GOE will in no way affect interments in our national cemeteries. Interments have the highest priority. While, of necessity, there will be a lessening of maintenance, we will continue to do our best to hold to our high standards. For example, where the grass is mowed once a week, we may have to reduce it to once in ten or twelve days. Of course, our aim is to do nothing which would impair the beauty of the cemetery.

We will have to defer replacing some equipment. Travel will be curtailed. Improvements in lands and structures (cemetery buildings, structures, fences, walls, landscaping, etc.) will have to be deferred wherever possible. All employees will be encouraged to put forth an extra effort to ensure increased productivity and to hold to the high quality of service to our veterans we have so proudly established.

And finally, Mr. Chairman, I would like to address your questions regarding the Advisory Committee on Cemeteries and Memorials.

I reported last year the termination of the Advisory Committee on Cemeteries and Memorials by the Administrator in November 1978, and the subsequent decision, based on the opinion of the Office of Legal Counsel, Department of Justice, to reconstitute the Committee and make it a functional part of the Veterans Administration once again.

Following reaffirmation of the need for the Committee, formal steps were initiated by the Administrator to reactivate it.

By letter dated April 21, 1980, the Administrator advised the Senate and House Committees on Veterans' Affairs of his reactivation of the Advisory Committee on Cemeteries and Memorials, authorized by section 1001, title 38, U.S. Code, and his selection and appointment of a new membership. He forwarded a copy of the renewed charter to the Senate and House Veterans' Affairs Committees.

Along with the copies of my testimony, I have furnished you copies of a compendium of the biographical resumes on each of the Committee members. The Chairman of the Advisory Committee will be General Louis H. Wilson, the former commandant of the United States Marine Corps.

The first meeting of the Committee will be a two-day meeting on May 13 and 14, 1980 in the General Omar N. Bradley Conference Room of the Veterans Administration Central Office Building at 810 Vermont Avenue, N.W. The meeting will include introductions, swearing-in ceremonies, presentation by the Administrator of appointment certificates and background briefings for the proper orientation of the new members regarding the purpose of the Committee and the scope of its functions.

No reports or recommendations were made by the previous Advisory Committee in the last several years. The President's announced plan in 1977 to reduce the number of Federal advisory committees and the subsequent introduction in Congress of several bills for that purpose had an unsettling effect on the Committee. During that time the terms of appointment had expired for all of the members of the Committee. Because of the ensuing events, there was no Committee activity during the years 1978, 1979, and so far, none in 1980. The last meeting of the previous Committee was on July 20 and 21, 1977.

That concludes my statement, Mr. Chairman.

I want to thank you again, sir, on behalf of Max Cleland, the Administrator of Veterans Affairs, for the opportunity to appear before you and your Subcommittee today.

**STATEMENT OF CARL T. NOLL, CHIEF MEMORIAL AFFAIRS DIRECTOR, VETERANS' ADMINISTRATION, ACCOMPANIED BY MIKE JARVIS, CONSULTANT, STAFF ASSOCIATE; JOHN MANNING, OFFICE OF THE GENERAL COUNSEL; BOB BELLER, DIRECTOR OF CEMETERY SERVICE; DON WARDLE, DIRECTOR, MONUMENT SERVICE; HERBERT B. MARS, DEPARTMENT OF VETERANS BENEFITS, AND DON HOWER, DIRECTOR OF LAND MANAGEMENT, OFFICE OF CONSTRUCTION**

Mr. NOLL. It is my pleasure to speak to the first item I reported on last year; that is, our goal to establish one large national cemetery in each Federal region. The national cemetery sites for regions IV

and V which you mentioned in your letter were selected by the Administrator on October 30, 1979. As presently planned, the new cemetery for region IV will be located at Fort Gillem and for region V located at Fort Custer in Michigan.

These designated complete our objective to adhere to the regional cemetery concept, that is, to provide one large cemetery in each of the 10 Federal regions in the United States with one additional in the Washington, D.C. area.

Mr. Chairman, on page 3 of my opening statement we list the regional cemeteries and they are named. In each instance I show the opening dates.

I do this with pride because we are making progress and you will note as you review the list that four of the new regional cemeteries will be open in 1982.

The next one to be open will be this year in October, 1980. We have already opened the new ones in Riverside, Calif., and Calverton, N.Y.

With the opening of the newest cemeteries, we will have achieved our goal of providing the greatest good for the greatest number of veterans in accord with the regional cemetery concept which has been adopted by the Veterans' Administration.

Speaking briefly to the system, we now have a total of 109 national cemeteries in our National Cemetery System. They are located in 38 of our 50 States, including Hawaii, Alaska, and 1 in Puerto Rico.

Twelve States do not have national cemeteries. Indeed, five States do have national cemeteries but they are closed; no more interments there. So the 17 States out of our 50 are for all practical purposes without national cemeteries. As a consequence, I feel it is appropriate to relate this situation to the Federal State Cemetery program.

The Administrator of Veterans' Affairs today is authorized to provide financial assistance on a 50–50 basis to establish, to improve or expand the veterans' cemeteries in the States.

Any State is eligible to apply for financial assistance for this purpose. We have more than 30 States expressing interest now, and we have four that have made formal application.

The four are Arizona, Illinois, Maine, and Maryland. Although the law authorized $5 million to be appropriated in fiscal year 1980 and for each of the 4 succeeding years of this program, no portion of the appropriated funds has been spent so far. Based on present indications it appears it will not need added funds in fiscal year 1981. The requirement for fiscal year 1982 is a bit down the road, and we will make that determination later.

I would like now to review the other new authorizations provided in Public Law 95–476. Section 203 of the law amended title 38 United States Code to provide that a government headstone or marker may be of any material including but not limited to marble, granite, bronze or slate.

Any material requested by the person entitled to request a headstone or such marker may be used if the material requested is determined by the Administrator to be cost-effective and, in the case in which the headstone is to be placed in a national cemetery, to be aesthetically compatible with the area of the cemetery in which it is to be placed.

Following enactment of Public Law 95–476, we advised our Government contractors to be prepared to furnish headstones of any material, including slate. I would like to point out that so far we have had no requests for slate markets. Traditionally, marble, granite and bronze, which we now furnish, have been used for headstones and markers both is the commercial market and in Government cemeteries. This is still the case.

Mr. Chairman, I will speak to the progress made on two new authorizations that are administered by our Department of Veterans Benefits—first the $150 plot allowance to States and second, in the payment of cash in lieu of the VA-provided headstone or marker. The Veterans' Administration has been authorized to pay a plot or interment allowance of $150 where eligible veterans are buried in other than a national cemetery.

The payment in these instances is made to the cemetery owner or to the person who pays for the interment. Public Law 95–476 extends the payment of the $150 plot allowance to provide for paying this allowance to States where any section of the cemetery owned by the State or political subdivision thereof is used solely for the interment of eligible veterans.

Since the inception of this law in October 1978, we have made 1,153 plot allowance payments totaling $172,952.

The Veterans' Administration, upon request and at no charge, furnishes a headstone or marker to mark the graves of veterans or their dependents interred in national cemeteries and the grave of a veteran interred in a private cemetery. Here again Public Law 95–476 authorized a payment as reimbursement to the person who paid for the headstone or marker procured from private sources. The amount of reimbursement authorized is based on the actual average cost of headstones and markers furnished by the Government each fiscal year. The amount authorized for fiscal year 1980 is $53. That is the figure that you mentioned just a moment ago, sir. Since the effective date of this program, October 18, 1978, 23,311 payments have been made totaling $1,156,000.

Now, with respect to your letter of April 18, you showed concern with respect to adequate maintenance of our national cemeteries in relation to budget restraints and constraints and reductions in personnel during this current fiscal year and the cuts that are planned for fiscal year 1981.

I am very pleased that there has been minimal impact on the Department of Memorial Affairs so far in fiscal year 1980. We have had no restraints imposed except the freeze in hiring and the cost of inflation. In fiscal year 1981 our general operating expenses account will be reduced by over $3 million. These reductions will in no way have an impact on interments. The interments program in the National Cemetery System receives the highest priority.

While of necessity there will be some lessening of maintenance, we will continue to do our best to hold to high standards. We will have to defer replacing some equipment. Travel will be sharply curtailed. Investment in lands, structures, cemetery buildings, fences, walls, landscaping, will be deferred wherever possible and all employees in the system will be urged to put forth extra effort in order to increase productivity and to hold the high quality of service to our veterans that we have established in the past.

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Finally, Mr. Chairman, we would like to comment briefly on your question regarding the advisory committee on cemeteries and memorials. Last year I reported to this committee the termination of the advisory committee by the Administrator in November 1978, and the subsequent decision based on an opinion by the Office of Legal Counsel, Department of Justice, to reconstitute the committee and make it a functional part of the Veterans' Administration again.

Following reaffirmation for need of the committee, formal steps were initiated by the Administrator to reactivate it.

By letter dated April 21, 1980, we informed the House and Senate Veterans' Affairs Committees of the reactivation of the Advisory Committee on Cemeteries and Memorials, and of the selection by the Administrator of a new membership. We also forwarded to the House and Senate Veterans' Affairs Committees a copy of the renewed charter.

Along with my testimony today I have furnished you copies of a compendium of the biographical resumés of each of the committee members. The chairman of the Advisory Committee will be General Louis H. Wilson, the former Commandant of the U.S. Marine Corps.

[Resumes follow:]

ADVISORY COMMITTEE ON CEMETERIES AND MEMORIALS

GENERAL LOUIS H. WILSON, CHAIRMAN

General Louis H. Wilson, a holder of the Medal of Honor, served as the Commandant of the Marine Corps just prior to his retirement from the Corps on July 1, 1979. A native of Mississippi, he earned a BA degree in 1941 from Millsaps College in Jackson where he participated in football and track. He enlisted in the Marine Corps in May 1941 and was commissioned a 2d Lieutenant in November of that year. During World War II, he served in the Pacific with the 9th Marine Regiment at such places as Guadalcanal, Bougainville, and Guam. During the assult on Guam in July of 1944, while a Captain in command of a company, he earned the Nation's highest honor for heroism in combat. He suffered wounds in this action that necessitated his evacuation in the Naval Hospital in San Diego, where he remained until October 1944. In December of that year he was assigned to the Marine Barracks in Washington, D.C. where he served as a Detachment Commander. While in Washington, he received his Medal of Honor from President Truman. He was promoted to the grade of Major in March of 1945 and then served in a succession of assignments that would eventually take him to the highest position in the Corps, that of Commandant. During the Korean War, he served as Assistant G–3 of the 1st Marine Division. He returned to the States in August 1955 and was given command of the 2d Battalion of the 5th Marines. In March 1956, he was assigned to Marine Corps Headquarters in Washington. Two years later he was reassigned to Quantico where he held successively two different commands. In June 1962, after graduation from the National War College, he was once again assigned to the Marine Corps Headquarters where he served as the Joint Plans Coordinator to the Deputy Chief of Staff (Plans and Programs). In 1965, with the stepped up activity in Vietnam, he was reassigned to the 1st Marine Division. In August of that year, he deployed with the Division to Okinawa and later moved with it to Vietnam. As the ACofS, G–3 of the Division, he was awarded the Legion of Merit and the Republic of Vietnam Cross of Gallantry w/Gold Star. He returned to the States in August 1966 and was promoted to Brigadier General in November of that year. Once again he reported for duty in the Marine Corps Headquarters and assumed the position of Legislative Assistant to the Commandant. In July 1968, he was westward bound again and became the Chief of Staff, Headquarters, Fleet Marine Force, Pacific, a position he held until March 1970 and one for which he earned his second Legion of Merit.

In March of 1970, General Wilson was advanced to the grade of Major General and then assumed command of the I Marine Amphibious Force/3rd Marine Division on Okinawa. His outstanding performance in this assignment resulted in his being awarded a third Legion of Merit. In April 1971, he returned to Quantico for duty as Deputy for Education/Director, Education Center, Marine Corps

Education and Development Command. In August 1972, he was promoted to Lieutenant General and on September 1 of that year, he assumed command of the Fleet Marine Force, Pacific. A little over two years had elapsed when the President nominated General Wilson to be the next head of the Marine Corps. On July 1, 1975, he was promoted to the four-star rank and assumed the position of Commandant of the Marine Corps, the 26th in a long line of distinguished Marines, a number of whom, like himself, had earned the Medal of Honor for gallantry in battle. General Wilson retired on July 1, 1979. He and his wife, the former Jane Clark, live in Jackson, Mississippi. They have one daughter, Janet.

ESSLEY B. BURDINE

Essley B. Burdine of Decatur, Georgia is a Past National Commander of AMVETS, having led that organization in 1976–77. He served in the Army during World War II. Mr. Burdine, now a prominent lawyer in Atlanta, received his J.D. degree from the Law School of Mercer University in Macon, Georgia and is a member of the Georgia Bar Association. He is a former Deputy Director of the State Board of Workmen's Compensation and has also served as Director of the Metropolitan Psychiatric Center in Atlanta. Mr. Burdine has been quite active over the years in various civic, fraternal, and church organizations, his name being closely identified with the Atlanta Chamber of Commerce, the Decatur Parents League, the Parent Teachers Association, and the Shriners Old War Horse Lawyers Club. He is a member of the First Methodist Church in Decatur. Mr. Burdine has long been interested in the affairs and concerns of veterans. This has been reflected continuously from the day he was discharged from the U.S. Army right after World War II. As an AMVET of long standing, he held elective and appointive positions at the Post level prior to serving at the Department and National levels. He and his wife are the parents of four children. Mrs. Burdine served as President of the AMVETS National Auxiliary in 1972–73.

ALFRED P. CHAMIE

Alfred P. Chamie of Los Angeles, California, is a Past National Commander of the American Legion, having served in that capacity for 1970–71. He served as an officer in the U.S. Army in World War II, first in the Infantry and later in the Judge Advocate General Corps. He is a graudate of UCLA and Harvard Law School. During the Truman Administration, Mr. Chamie served two years as Assistant U.S. Attorney for the Southern District of California. He is a member of the American Bar Association as well as state and local bar associations and has been admitted to practice before the U.S. Supreme Court. Mr. Chamie, a Mason and an Elk, has been active in the Boy Scouts of America, serving as a Scoutmaster for three years and as a member of a neighborhood council in suburban Los Angeles. He has also served as Vice President and General Counsel of the Association of Motion Picture and Television Producers, Inc. In addition, he has served as a member of the Board of Directors of the Motion Picture Relief Fund. Mr. Chamie joined the American Legion in 1946 and served in a number of important capacities at the local, state and national levels before becoming National Commander of the organization. He has been honored for his work with veterans by the State of California as well as by both the City and County of Los Angeles. He has been a trustee of the Legion's Hollywood Canteen Fund which serves members of the Armed Forces and their dependents in Southern California. He has also been a member of the California Veterans Board and served as its chairman in 1955. He and Mrs. Chamie are the parents of two children.

WILLIAM JENNINGS BRYAN DORN

William Jennings Byran Dorn is a native of Greenwood, South Carolina. Having been named for one of the most famed of men in U.S. political history, it was only natural then that he would find his way into the realm of politics and government. This came early in his life for at the age of 22 he was elected to a seat in the South Carolina House and to that State's Senate two years later at the age of 24. At that age, his seating in the Senate required a special vote by the Senate. When World War II went into high gear in 1942, Mr. Dorn volunteered for service in the Army Air Forces and resigned his Senate seat. After 3½ years of military service, 18 months of which were in the European Theater, he was discharged as a Corporal. He was one of seven brothers who served during World War II. In 1946, he reentered the political arena when he was elected at the age of 30 to represent the 3rd District of South Carolina in the Congress of the United States. There, he served

12 successive terms before leaving Congress in 1972. At the time of his retirement, he was Chairman of the House Committee on Veterans Affairs. Mr. Dorn proudly holds an Honorary Doctor of Laws degree from Clemson University. In 1970, he was the recipient of the AMVETS Silver Helmet Award. He and Mrs. Dorn, the former Mildred Johnson, are the parents of three daughters and two sons. Since the moment he entered military service, Mr. Dorn has been interested keenly in the affairs and concerns of the veterans of our Armed Forces.

RAYMOND L. FREEMAN

Raymond L. Freeman, now a resident of Bethesda, Maryland, is a Landscape Architect by profession and holds a Bachelor of Science degree in Landscape Architecture from Iowa State University. Mr. Freeman served with the Army's Corps of Engineers from 1942 to 1946 before his discharge with the rank of Major. He joined the National Park Service of the Department of the Interior in 1946 and remained with them until his retirement in 1977. At that time, he was Assistant Director for Planning and Development. One of the noteworthy projects Mr. Freeman was identified with was that of "Mission 66," the National Park Service's 10-year plan to upgrade and expand the National Park System. Mr. Freeman was Assistant Director "Mission 66" during the period 1956 through 1958. In 1972, he was awarded the Department of the Interior's Distinguished Service Award. During the period of 1962–1966, he served on the National Capital Planning Commission as the representative of the National Park Service. He also served as liaison between the National Park Service and the White House on the Beautification Program of the 1960s. Since his retirement from Government service, Mr. Freeman has been working as a consultant on governmental affairs to the American Society of Landscape Architects and as a planning consultant. He is a Fellow of the American Society of Landscape Architects and served as the Society's President from 1972 to 1973. He is currently Vice President of the Landscape Architecture Foundation.

FLOYD E. HENDERSON

Floyd E. Henderson is a Past National Commander of the Veterans of World War I. Although a native of Indiana, he has been a resident of North Dakota most of his life and now lives in Fargo. In 1916, he was graduated from Valley City State College in Valley City, ND. He enlisted in the North Dakota National Guard in 1917 and then spent 18 months overseas during World War I. After his discharge in 1919, Mr. Henderson entered the banking business in Lawton, North Dakota, and was engaged in this occupation from 1920 to 1930. In 1929, he served in the House of the North Dakota Legislature. From 1930 to 1932, he continued his banking career, but this time in Bismarck. From 1932 to 1943, he was in the oil business. In 1938, he was elected Mayor of Grafton, ND, and served until 1942. In this latter year, he was elected State Commander of the American Legion. In 1944, he organized the Veterans County Service Office in Grand Forks. From 1949 to 1961, Mr. Henderson was State Director of Veterans Affairs in Fargo. In 1961, he became the Commandant of the North Dakota Soldiers Home in Lisbon, ND. In 1970, he became the National Adjutant of the Veterans of World War I and served until 1973. In 1978, be became the National Commander of the Veterans of World War I. Mr. Henderson is a life member of the VFW, the American Legion, and the Disabled American Veterans. He is also a Past National President of the National Association of State Directors of Veterans Affairs. In addition to all of the above, Mr. Henderson has found the time to be an active Mason and an Elk.

AARON E. HENRY

Aaron E. Henry is a pharmacist and owner of a drug store in Clarksdale, Mississippi. Dr. Henry holds a Bachelor of Science degree in Pharmacy from Xavier University in New Orleans. He is a veteran of World War II, having served in the U.S. Army from 1943 to 1946, and at present is the Chairman of the National Black Veterans Organization, Inc. One of the leading Civil Rights proponents in this country, Dr. Henry became President of the Mississippi Conference of the National Association for the Advancement of Colored People (NAACP) in 1960 and has remained as its President to this date. He became a member of the National Board of Directors of the NAACP in 1965 and has remained since that time as a member of that body. He is also a member of the National Board of Directors of the Southern Christian Leadership Conference. Also, he serves as a member of the Board of Directors of the Mississippi Council on Human Relations.

Dr. Henry was heavily involved in securing Congressional support needed to pass the Office of Economic Opportunity Act, the law that spawned such programs as Head Start, Basic Adult Education, Community Action, the Neighborhood Center program among others. Dr. Henry is a member of the Haven United Methodist Church in Clarksdale and is a former Lay Leader and Chairman of the Commission on Christian Social Concerns. His tremendous involvement in so many activities related to social justice is so extensive that they all cannot be related here. The same can be said for the untold number of awards and honors that have come his way. Dr. Henry was also a member of the previous Advisory Committee on Cemeteries and Memorials.

PATRICIA C. HUGHES

Patricia Collins Hughes is the Editor of "The Stars and Stripes", the only national veterans newspaper. Mrs. Hughes is also President of Hughes Publications, Inc., a Maryland firm and is the author of numerous books, articles, and manuals. She has been a consultant and journalist on military affairs and political activities for 26 years and is a nationally recognized authority on aviation safety, training, and air/sea rescue. Mrs. Hughes was introduced to aviation at the age of three by her father, a contemporary of Lindbergh, Roscoe Turner and other aviation pioneers. She made her first solo flight at the age of fourteen. She entered the WASP during World War II during which time she ferried aircraft and taught instrument flying, tactical gunnery and other related aviation subjects. In 1978, Mrs. Hughes was instrumental in spear-heading action on the bill on WASP recognition through the Congress. To this day, she still holds current pilot ratings. In 1973, she was appointed the first Director of General Aviation for the International Flight Safety Foundation with primary duties as liaison between professional pilots in the United States and over 20 nations of the Free World. She is a former President of SAFE, Inc., an organization primarily concerned with improving aviation safety via recurring standardized proficiency evaluations of general aviation instructors and pilots utilising all-industry capabilities. While in this position, she achieved recognition for her work in developing the first FAA approved portable flight simulator. Mrs. Hughes' programs were instrumental in attaining the first FAA requirement for a mandatory biennial flight check of all USA general aviation pilots. She is a graduate of the U.S. Coast Guard SAR School and other military and university courses. She is a member of the Aviation Space Writers Association and various other professional organizations. She also is the recipient of numerous awards and citations. Mrs. Hughes is the mother of four sons and a daughter, and now resides in Charlestown, West Virginia.

JOSEPH J. LOMBARDO

Joseph J. Lombardo is a lawyer from Brooklyn, New York. He is a Past National Commander of the Veterans of Foreign Wars of the United States, having served in that position for the 1963–64 term. He joined the VFW shortly after his discharge from military service in World War II. After filling various positions at the Post level, he moved upward in the Department of New York of the VFW until 1957 when he reached the national level as a member of the National Council. He then served in a succession of important positions first as Chief of Staff, and then as Judge Advocate General until his election as Junior Vice Commander in 1961. Mr. Lombardo, a practicing trial attorney in New York, is a graduate of the Law School of St. Johns University. He has been admitted to practice before the bar in New York State and all Federal courts including the U.S. Supreme Court, and has served on many committees of the American Bar Association. For many years, he was a member of a local Draft Board in Brooklyn. During World War II, he served in the U.S. Marine Corps with distinction and saw action in the South Pacific with the 7th Regiment, 1st Marine Division, of the Fleet Marine Force. He belongs to Saint Ephrem's Roman Catholic Church in Brooklyn. He and his wife are the parents of three sons.

JOE L. MATTHEWS

Joe L. Matthews is a business man in Fort Worth, Texas. A veteran of two tours of Navy service, he served his first enlistment from 1932 to 1936. His second tour was during World War II when he saw duty in the Pacific with a Naval Construction Battalion engaged in combat service in the Marshall Islands and in Okinawa. After his war service, he joined the American Legion and in an upward progression, served in many positions at the Post, State, and National

levels until he was elected as the National Commander of the American Legion for the 1972–73 term. Throughout his Legion membership, he has been active in the youth programs such as the Oratorical Contest, the American Legion Baseball program and the Boys State. He was also active in the Boy Scouts of America, attaining the rank of Eagle Scout and later became Scoutmaster and Camp Director. He is a member of the Knights Templar and the Moslah Temple Shrine as well as the Fort Worth Elks Lodge and the University Bapist Church. He is also a member of the Veterans of Foreign Wars, the Disabled American Veterans and the Fort Worth Chamber of Commerce. Mr. Matthews was also a member of the original Advisory Committee on Cemeteries and Memorials, having been appointed in September of 1973. His wife, Alberta, has also been long active in the American Legion Auxiliary. The Matthews have two children and a number of grandchildren.

FRANK J. RANDAZZO

Frank J. Randazzo, a native of New York City, is a criminologist with the New York State Supreme Court serving as the Director of the Court's Criminal Appeals Bureau. Mr. Randazzo is a Past National Commander of the Disabled American Veterans having served in that distinguished position in 1976–77. He is a combat veteran of World War II, having served with the Army's 5th Infantry Division. He earned five (5) Bronze Stars, fighting in the Normandy Invasion, the Rhineland Campaign, and the Battle of the Bulge. During the latter, he was seriously wounded on Christmas Eve of 1944. Before assuming the top leadership post of the DAV, Mr. Randazzo served in all command ranks at the local and state level of the DAV before he reached the position of National Junior Vice Commander in 1972. He is also a member of the American Legion, the Veterans of Foreign Wars and the 5th Infantry Division Association. An active church member, he is a 4th Degree Knight of Columbus. He is also a member of the Supreme Court Officers Association. He and his wife, Anne, have two daughters and a son.

ROBERT SHOR

Robert Shor of Los Angeles is a Past National Commander of the Jewish War Veterans. Dr. Shor, a podiatric surgeon at the Kaiser-Permanente Medical Center in Los Angeles, has held a number of prestigious professional offices. He has served as National President of The American Podiatry Association and prior to that had served two terms as President of the California Podiatry Association. In 1961, he was named by the latter Association as its first "Man of the Year." Dr. Shor has since 1948 served the Jewish War Veterans with great distinction, holding numerous offices throughout the organization. Before attaining the position of National Commander, he served as Chairman of the California State Veterans Employment Committee. Also, he has served on the JWVs' National Executive Committee, on the National Policy Committee and on the Budget Committee. Apart from his professional work and commitments and his assiduous activities and interest in the affairs of veterans, Dr. Shor has been long active in Jewish affairs and has served on the Board of Directors of the Los Angeles Jewish Federation as well as the Commission on the Middle East.

Mr. NOLL. Mr. Chairman, the first meeting of this committee will be held tomorrow, Tuesday, May 13, and Wednesday, the 14th, in the Omar Bradley conference room at the Veterans' Administration Central Office. The meeting will include introductions, swearing-in ceremonies, presentation by the Administrator of appointment certificates and background briefings with the proper orientation of new members regarding the purpose of the committee and the scope of its function.

Again in response to your question, no reports or recommendations were made by the previous advisory committee in the last several years. The President's announced plan in 1977 to reduce the number of Federal advisory committees and the subsequent introduction in Congress of several bills for that purpose had an unsettling effect on the committee. During that time the terms of each of the appointees expired. Because of the ensuing events there was no committee activity during 1978, 1979, and so far none in 1980. The last meeting of the previous committee was on July 20 and 21, 1977.

That concludes my comments on the opening statement, Mr. Chairman.

I would like now to comment on the bill introduced by Mrs. Holt, H.R. 6146. This is a bill that would provide a change in the law and permit the VA to purchase headstones to mark the graves of dependents of veterans in State veterans cemeteries just as we now do in our national cemeteries.

The position of our department is, we favor enactment of this legislation. It was a question of cost earlier today and my comment is that the average cost is $53. I do know that the Administrator of Veterans' Affairs has commented favorably on this legislation as proposed. I do know that the final action as of this time is in the Office of Management and Budget.

I would be pleased to participate with my associates in answering any questions you may have.

Mr. MONTGOMERY. On the Holt bill, you personally don't object to changing the legislation and, as far as you know, the Administrator has no objection to the bill?

Mr. NOLL. That is correct, sir.

Mr. MONTGOMERY. Counsel was telling me you are having some type of dedication ceremony in Honolulu pertaining to the missing in action on May 30. Have invitations been sent out or anything done to invite Members of Congress? Do you know about it?

Mr. NOLL. Yes, I do know about it.

Mr. MONTGOMERY. It is too late now, but if you had let us know a couple of months ahead, there may have been some Members of Congress who would have been interested in attending. Maybe there is not anything to it. What is it?

Mr. NOLL. Mr. Chairman, I am astonished by your comment. My understanding is that Members of Congress, chairmen of committees, Appropriations and so forth, have been invited. I will check when I go back today and be in touch with you if I may.

I know it is the Administrator's intent to invite all.

Mr. MONTGOMERY. What is the event?

Mr. NOLL. The event is a dedication of the Courts of the Missing at the Punch Bowl, Honolulu National Cemetery. The Courts of the Missing involves some 2,400 men whose remains were lost during Vietnam and have not been recovered.

Each name will be inscribed on the wall of the courts. The dedication service should be a very meaningful one. The next of kin of the individuals have been invited. All services and Department of Defense have been invited.

I don't have at hand the list of invitations that have been mailed, but I would furnish that for the record if I may.

[The information follows:]

THE FOLLOWING DISTINGUISHED PERSONS WERE INVITED TO ATTEND THE DEDICATION OF THE VIETNAM TABLETS OF THE MISSING AT THE NATIONAL MEMORIAL CEMETERY OF THE PACIFIC, HONOLULU, HAWAII ON FRIDAY, MAY 30, 1980:

PLATFORM GUESTS

Honorable Daniel K. Inouye, United States Senate.
Honorable Spark M. Matsunaga, United States Senate.
Honorable Cecil Heftel, House of Representatives.
Honorable Daniel K. Akaka, House of Representatives.
Honorable George R. Ariyoshi, Governor of Hawaii.

Honorable Frank F. Fasi, Mayor of Honolulu.
Mr. Jack Lord, Master of Ceremonies.
Mr. Carl T. Noll, Chief Memorial Affairs Director, Veterans' Administration.
Mr. William C. Oshiro, Director, VA Regional Office.
Mr. Ernest C. Schanse, Director, National Memorial Cemetery of the Pacific.
Chaplain Corbin L. Cherry, Chief of Chaplains, Veterans' Administration
Reverend Mr. Thomas M. Rienai, Honolulu, HI.
Admiral Robert L. J. Long, USN, CINC—Pacific.
Admiral Donald C. Davis, USN, CINC—Pacific Fleet.
General Lou Wilson, USMC (Ret), Member, ABMC and VA Advisory Committee on Cemeteries and Memorials.
Maj. General A. J. Adams, USA, Secretary, ABMC.
Commander, Veterans of Foreign Wars.
General Mark W. Clark, U.S.A. (Ret)
Mr. T. C. Selman, National Sr. Vice Chairman, ABMC

SENATE VETERANS AFFAIRS COMMITTEE

Hon. Alan Cranston-Chairman
Hon. Herman E. Talmadge
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*The Administrator of Veterans Affairs*
*The Honorable Max Cleland*
*cordially invites you*
*to attend the*
*Dedication of the Vietnam Tablets of the Missing*
*American Battle Monuments Commission*
*Honolulu Memorial*

*Veterans Administration*
*National Memorial Cemetery of the Pacific*
*Honolulu, Hawaii*
*Friday, May 30, 1980 at 10:00 a.m.*

Mr. MONTGOMERY. I hope you are right. We would have liked to have someone out there. I have been vitally interested in the missing in action.

Actually, since you were here last time, I have had the privilege of visiting the Riverside, Calif., cemetery and also at the Golden Gate San Francisco. Riverside is the new regional cemetery. That is the one 50 miles from Los Angeles. Then I visited the San Francisco National Cemetery. There are three cemeteries in California. They seemed to be doing all right.

They had the complaint that they had not been able to hire personnel, but I was especially impressed with the Golden Gate Cemetery. It has the upright markers. I quite frankly prefer the upright markers to the flat type. I assume that the flat marker is easier to obtain, but it was certainly impressive to me at the Golden Gate. Which one is it?

Mr. JARVIS. Golden Gate is the big one.

Mr. MONTGOMERY. That is where a Member of Congress, Leo Ryan, is buried.

Mr. JARVIS. That is right.

Mr. MONTGOMERY. Do you have State funds appropriated for State veterans cemeteries? Have you not spent these funds?

We will hear from Mr. Beard and some of his colleagues from Rhode Island. I believe they do have State cemeteries. You have four applications under consideration. Do you want to name these four States that have applied for a grant under the program?

Mr. NOLL. We have received applications from Arizona, Illinois, Maine, and Maryland. They have applied to extend or improve that cemetery. We have an active relationship with the States now in an effort to do that.

Mr. MONTGOMERY. I know that this committee passed legislation, as did the House, that would put the region IV cemetery at Fort Mitchell, Ala., instead of Fort Gillem, Ga. As I understand it, the land from the Department of the Army has not been transferred to establish this cemetery at Fort Gillem even though the House preferred Fort Mitchell. The Senate did not act on the legislation.

What is the status of that cemetery now?

Mr. NOLL. The Armed Services Subcommittee on Installations and Facilities deferred an action on the title 10 transfer of the land from Fort Gillem to VA at a meeting held Thursday a week ago or 2 weeks ago. The deferral length of time is unknown to me at this point. We are assuming that any problem that exists with the committee with respect to the land will be addressed.

We feel confident that the selection of Gillem for region IV is sound. I cannot comment further because I don't really understand the basis for the deferral action taken by the subcommittee.

I believe that in a short time this will become known.

Mr. MONTGOMERY. I think I can tell you.

Mr. Brinkley is on the Committee on Armed Services with me, and I am sure he had something to do with holding it up.

What is the price of a bronze marker, and is the supply plentiful? What is it priced, compared with a year ago?

Mr. NOLL. Don Wardle, Director of Monument Services, will speak to that point.

Mr. WARDLE. We have only one contract for bronze markers this year in Kingwood, W. Va. That is the only contract in which we have an escalation clause. Every time the metal goes up or down, we adjust the cost. So far this year, we have made eight adjustments.

The average price depends on the State it is going to because the postal rates are different, but it will average about $52 or $53 per bronze marker.

Mr. MONTGOMERY. Is that always an upward adjustment?

Mr. WARDLE. The first five were up; the next three were down.

Mr. MONTGOMERY. Thank you, sir.

Speaking of San Francisco, I notice in one of your directives that San Francisco wanted a cemetery out there; they may be getting more land? What was the idea?

Mr. NOLL. In California we are not expanding the three cemeteries. We have one in San Diego. This is not being expanded. We have one at the Presidio in San Francisco which is not being expanded. Golden Gate is not being expanded. Los Angeles is not being expanded for the simple reason that we don't have available contiguous land that is suitable or that can be made available to us.

Mr. MONTGOMERY. Presidio joins an Army post out there?

Mr. NOLL. Yes, sir.

Mr. MONTGOMERY. We saw some land not being used.

Mr. NOLL. The only thing I can sense, you may be talking about Riverside, the regional cemetery. We are expanding that by phases, but it is on land in part of our master plan development. That is an ongoing expansion program.

Mr. MONTGOMERY. Presidio has some land not being used that belongs to the Army. It is just trees. I am sure the Army doesn't want to give it to us.

Mr. NOLL. Several times over the years we have talked with the Army about making some of that land available, but apparently we haven't been able to make a suitable case.

They have other plans for using the land and they have not been able to free it up for cemetery purposes.

Mr. MONTGOMERY. Mr. Edgar?

Mr. EDGAR. Thank you, Mr. Chairman. I don't have many questions.

I notice in your testimony that Indiantown Gap is scheduled to open in 1982. Is that schedule pretty much on target?

Mr. NOLL. Yes, it is. Earlier this morning we were talking. The working drawings are about completed now. I expect there should be a contract award made for that cemetery. Construction should start perhaps on November 28 of this year. November is our target.

We had some slippage there earlier in the arrangements involving master planning and involving an estimate of the number of interments that would take place there, but we are on target

The date you have mentioned, June 1982, is genuine. It is attainable and we can make it.

Mr. EDGAR. The President today is going to announce that Indiantown Gap will be used as a site for holding Cuban refugees as it had been used as a site to hold Vietnamese refugees. That area will, in fact, get quite a little activity over the next few weeks in the resettlement of those refugees.

I was just concerned as to whether the 1982 date was a fairly firm date for the opening of that cemetery.

Mr. NOLL. It is.

Mr. EDGAR. I don't have any further questions. I think the testimony is pretty much self-explanatory. I would just hope that as we develop cemeteries, we also will look at ways to give a veteran an opportunity to have a dedicated memorial close to home as opposed to just having access to these regional cemeteries. No further questions.

Mr. MONTGOMERY. Thank you.

Thank you, Mr. Noll. We appreciate you and your associates being here this morning.

Let us have Congressman Ed Beard from Rhode Island, who used to be a member of this committee and subcommittee.

Mr. Edwin Connelly is the cemeteries director of the Rhode Island Office of Veterans Affairs. We are glad to have Mr. Connelly with us and whomever else you might want.

## STATEMENT OF HON. EDWARD P. BEARD, RHODE ISLAND

Mr. BEARD. Mr. Chairman, members of the subcommittee, it is a great pleasure for me to present to the subcommittee Edwin Connelly. Mr. Connelly has been in the forefront in the efforts in Rhode Island to improve and expand the Rhode Island Veterans Cemetery.

The Rhode Island Veterans Cemetery, I can tell you first hand, is really an extension in beauty of Arlington National Cemetery or any national cemetery in the United States.

It is through the efforts of Mr. Connelly and others in Rhode Island that we continue to grow. It is a growing process. The Rhode Island Veterans Cemetery is expanding day in and day out.

We do look forward to the passage of H.R. 6146. Mr. Connelly will present to this committee his feelings on why this bill should pass.

Mr. MONTGOMERY. We will be glad to hear you, Mr. Connelly.

Mr. Beard is certainly a fine Member of Congress and he has certainly supported our mission for a strong defense and efforts to be fair to the veteran.

We would like to hear from you now, Mr. Connelly.

Mr. CONNELLY. Thank you, Mr. Chairman, but before I begin, the indebtedness that Rhode Island has for this hard-working legislator is really great. Representative Beard, when we approached him a few years ago about the plot allowance legislation, which became Public Law 95–476, worked diligently toward its passage.

The only other time that I spoke before this subcommittee was to testify on behalf of that piece of legislation.

We do have a great deal of gratitude and love for this man.

Mr. MONTGOMERY. Without objection, your full statement will be put in the record.

[Statement follows:]

PREPARED STATEMENT OF EDWIN WILMOT CONNELLY, CEMETERIES DIRECTOR, RHODE ISLAND OFFICE OF VETERANS AFFAIRS

Mr. Chairman and Members of the Committee: Thank you for the opportunity to appear before this most distinguished committee to present the views of the State of Rhode Island with respect to pending legislation.

As you are no doubt aware, Mr. Chairman, Rhode Island has a State administered Veterans Cemetery and we are but one state in a group of states with veterans' cemeteries under our control. Thus, the State of Rhode Island views the introduction of H.R. 6146 as a much needed step in assisting veterans and their families who choose interment in a State Veterans Cemetery.

Statistics show that an increasing number of R.I. veterans and their dependents are selecting burial in the State's veterans cemetery, and last year 23.5 percent of the deceased Rhode Island veterans were interred at the Rhode Island Veterans Cemetery. This staggering percentage could not have been predicted just six years ago when we accepted our first burial, and who in 1974 could have thought that by 1980 gravesite 2,000 would be recorded.

Reflected within this alarming growth pattern is a natural phenomenon. I am of the belief that a wide majority of human beings have a desire to be interred

within a relatively short distance from home and family. That the veteran, who in time of war willingly left home and family for defense of country, in death desires a plot in his or her native soil and within a geographic closeness to family. We in Rhode Island are fulfilling these basic needs through the Rhode Island Veterans Cemetery. The roll of the State veterans' cemetery is clear, therefore, we are requesting your support in an area of some concern to us, the dependents headstone. H.R. 6146, if passed will amend Title 38 of the United States Code, by authorizing the Administrator of Veterans Affairs to provide headstones and markers for certain close relatives of veterans if such relatives are buried in State veterans cemeteries. Mr. Chairman, in point of fact, this legislation will provide the dependent, who is buried in a State veterans cemetery, the same entitlement given dependents who are interred within a National Cemetery.

Two years ago I came before this committee on the issue of the $150 Plot Allowance and the legislation granting aid to state Veterans' cemeteries. I am indeed gratified that we now have Public Law 95–476, a law which has profound importance on our survival. When you granted state veterans' cemeteries the $150 Plot Allowance in reality you placed us on the same level as the National Cemetery system. And now, once again, I come before you seeking your support by asking you to support H.R. 6146. A government issued dependents' headstone will have a significant impact upon the Rhode Island veterans community. It will essentially provide the dependents headstone free of cost to the veteran and would insure that each gravesite within a State veterans cemetery will be marked in a dignified and unified manner.[1] It should be noted that if the federal government, in 1974, had in place this proposed legislation, when the Rhode Island Veterans Cemetery began accepting burials, the cost to the Government each year for dependents headstones would have been less than $800, or in the six years, a total expenditure of less than $5,000.

Mr. Chairman, Rhode Island continues to demonstrate its desire to assist veterans in life as well as in death. Our mandated programs are clear, our service areas defined; however your continued support is needed. To illustrate this shared responsibility I have only to turn to the Rhode Island Veterans' Home, a state institution founded just after the Civil War. Today the Veterans' Home is a model for others to emulate, however the Home could not exist without federal support.

I am confident that as you examine the service programs to the nation's veterans you will pay particular attention to State veterans' programs and that you will continue to assist the veteran in life and in that final moment, death.

This concludes my testimony on H.R. 6146, Mr. Chairman, however before I respond to any questions you may have, I have prepared a brief report on the Rhode Island Veterans Cemetery and how its maintenance and management program and the expansion program are being affected by Public Law 95–476. In my earlier remarks I hope that the gratitude we have over this federal support was adequately expressed.

The Rhode Island Veterans Cemetery provides a dignified and serene last resting place for the men and women from Rhode Island who served our nation in time of war.

The Office of Veterans Affairs, a unit of the Department of Social and Rehabilitative Services, has been given an important responsibility, the management and development of the Veterans Cemetery. The Cemetery is being created on a 180 acre tract of land on State property in Exeter. The Cemetery site is located off Route 2 and interstate Routes 95, 295 and major state roads 102, 138, 3 and 1 permit for easy access from all sections of Rhode Island. It should be noted that the Rhode Island Veterans Cemetery is located in a rural area of the state. The subtle richness of this landscape provides an ideal setting for the cemetery where the purpose and the appearance are inseparably bound into an aesthetic and utilitarian unity. It also should be noted that the veterans cemetery is within a 35 mile radius of the entire 135,000 veterans eligible for interment at the cemetery.

There has become a great need for this cemetery in which Rhode Island war veterans, their spouse, and dependent children are guaranteed a gravesite. In 1969 a nine member Legislative Commission was formed to study the need for the establishment of a state managed cemetery for the interment of deceased Rhode Island Veterans. It is worth noting that in a report to the General Assembly by the Committee's Chairman, it was stated that some 20 burials each year would

[1] In Rhode Island the dependent headstone is provided by the family of the deceased but we do encounter the following problems: 1. deceased dependent's gravesite remains unmarked. 2. damaged or vandalized dependent headstones not replaced or repaired by the family of the dependent. 3. lack of uniformity.

take place. In the six years in which the cemetery has been in operation 2,000 gravesites have been recorded and during this past year an average of 6 persons per week were interred.

In 1974 when the first committal service took place, an abandoned farm on state land became a cemetery and thus a major responsibility was laid on the Office of Veterans Affairs as that agency of State government adopted the role of instant cemeterian. Persons who have visited the Veterans Cemetery are impressed by the valiant efforts of Veterans Affairs in maintaining the existing gravesite area. An important fact must never be minimized: Within a six year period, a short span of time, grave number 2,000 has been reached and that abandoned farm land turned burial field is now one of the most important sites in the States.

Rhode Island veterans who entered the service and lay at the feet of this nation their hopes, ambitions and lives are now resting peacefully within this special place. It should not then be any surprise to see the countless hundreds of persons at the cemetery on Memorial Day and Veterans Day paying homage to the men and women who served these United States.

On October 18, 1978, Public Law 95–476 was signed into law and on that day, a new relationship developed between government and state. The $150 Plot Allowance has added over $30,000 to our last years' operational budget and this support will continue to assist us in future years with the maintenance and management program.

However, its new roads are not built and new burial fields are not prepared, the State Office of Veterans Affairs will be hard pressed to meet its statutory obligations. We, therefore, Mr. Chairman are presently preparing a grant application to the Veterans Administration for $600,000. This grant program, made possible by 95–476 will begin an expansion and development plan based on an analysis of existing conditions and knowledge of operational requirements. The plan calls for the construction of: burial fields; an interior road system and main entrance; a committal service shelter; rehabilitating existing buildings for a maintenance complex: utilities: drainage: a sprinkler system: security fencing: and equipment.

In conclusion, Mr. Chairman, the Rhode Island State Office of Veterans Affairs commends you for your beneficial and far reaching legislation. The Nation's Veterans are indeed fortunate to have this legislative committee working on their behalf.

Mr. Chairman, this concludes my testimony and I would be happy to respond to questions that you may have at this time.

Thank you,

EDWIN WILMOT CONNELLY.

Mr. MONTGOMERY. You may proceed as you wish to, Mr. Connelly.

## STATEMENT OF EDWIN W. CONNELLY, CEMETERIES DIRECTOR, RHODE ISLAND OFFICE OF VETERANS' AFFAIRS

Mr. CONNELLY. The legislation which is before you today, H.R. 6146, would give to the dependent a headstone if the dependent is interred in a State veterans' cemetery.

The growth of State veterans' cemeteries throughout the country is rapid and there are 26 States that are going forward with feasibility studies to establish State veterans' cemeteries. If I may go back 2 years to Public Law 95–476. That was the impetus which established a fine positive working relationship between Federal and State Governments. Your continued support is needed.

I would like to read two passages from my prepared testimony:

As you are no doubt aware, Mr. Chairman, Rhode Island has a state-administered veterans' cemetery and we are but one state in a group of states with veterans' cemeteries under our control.

Thus, the State of Rhode Island views the introduction of H.R. 6146 as a much needed step in assisting veterans and their families who choose interment in a state veterans cemetery.

Statistics show that an increasing number of Rhode Island veterans and their dependents are selecting burial in the State's veterans' cemetery. Last year 23.5

percent of the deceased Rhode Island veterans were interred at the Rhode Island Veterans' Cemetery. This staggering percentage could not have been predicted just six years ago when we accepted our first burial, and who in 1974 could have thought that by 1980 gravesite 2000 would be recorded.

To our knowledge, last year not one Rhode Island veteran was interred in a national cemetery, that is, outside of Arlington. We have taken the place of the National Cemetery System in Rhode Island by developing our State veterans, cemetery.

Reflected within this alarming growth pattern is a natural phenomenon. I am of the belief that a vast majority of human beings have a desire to be interred within a relatively short distance from home and family; that the veteran, who in time of war willingly left home and family for defense of country, in death desires a plot in his or her native soil and within a geographic closeness to family. All of the Rhode Island veterans are within 35 miles of our cemetery and we will continue our efforts to valiantly put together a cemetery that we are all proud of in Rhode Island.

The General Assembly in the State, last Monday, awarded us a $300,000 grant as our share for a match to the Federal grant-in-aid program.

We are meeting with the Veterans' Administration this afternoon to begin a preliminary application program, and we are requesting $600,000 from the Federal Government for the purchase of the expansion and development of our Rhode Island veterans cemetery.

If there are any questions, Mr. Chairman, I would be happy to answer them.

Mr. MONTGOMERY. Thank you, Mr. Connelly.

I have some questions here.

If the Cape Cod Regional Cemetery opens up, would that affect Rhode Island?

Mr. CONNELLY. It could but I honestly think it will not.

Mr. MONTGOMERY. How far away is that?

Mr. CONNELLY. It is far enough away and, because of the coastline, most of the veterans who would be affected are closer to us than to the national cemetery.

I visited there and I compliment the National Cemetery System on their site selection.

Mr. MONTGOMERY. As I viewed it, of all the veterans who died this past year in Rhode Island, 25 percent were buried in the Rhode Island cemetery.

Mr. CONNELLY. Mr. Chairman, 23.5 percent. The previous year it was 22 percent. So we are showing a steady growth.

I think one of the nice things that has happened with Congressman Beard's legislation, and with the desire on the part of the National Cemetery System to cooperate with us, is that we really are going to be facing a crisis period within the next few years.

Out of the population of 135,000 veterans, 66,000 of them are World War II. So it is beginning to strike home. We are dying off at an alarmingly fast rate.

Mr. BEARD. Just to give you an example, at the Memorial Day services when the cemetery first opened, a few hundred attended; now it goes into the thousands. It is incredible how the numbers have expanded. As the word gets out on that cemetery, the beauty of it, the closeness of it, veterans now want to be buried in that cemetery.

It is really a carbon copy of Arlington Cemetery. It is absolutely beautiful.

Mr. MONTGOMERY. You say it is within 35 miles of all your veterans.

Mr. CONNELLY. Yes.

Mr. BEARD. The State is 50 miles long by 50 miles wide. It is no problem at all. It is within 1 hour.

Mr. MONTGOMERY. How many people are buried there now?

Mr. CONNELLY. Right now we have 1,200 interments. There are 2,000 recorded gravesites, which include 800 reservations for the dependents. They are buried side by side. When a veteran dies, a grave is reserved for the dependent and vice versa.

Mr. MONTGOMERY. You support the whole bill?

Mr. CONNELLY. Yes, sir.

Mr. MONTGOMERY. You do bury family members?

Mr. CONNELLY. That is correct.

Mr. MONTGOMERY. I commend you. You must have been one of the first States.

Mr. CONNELLY. Yes, sir. In 1969 a legislative commission was formed and there were a few years of delay in getting it off the ground, and by 1974 we accepted our first interment. I recall the experience where the veteran's wife was in tears that her husband was going to be buried there. Right after the ceremony she was wringing her hands saying how could this have been? Why did I do this? Why did I come to this abandoned farmland out in nowhere? She came back to the Memorial Day program last year and really was so ecstatic that she had chosen our cemetery.

I am going to have the privilege this afternoon of showing a few slides to the Department of Memorial Affairs of the Veterans' Administration, and I hope that the slides will demonstrate the beauty of the Rhode Island Veterans' Cemetery.

I might add, Mr. Chairman, that Congressman Danielson was in Rhode Island about 3 or 4 years ago. I think he can attest to its natural beauty.

Mr. MONTGOMERY. Since you mentioned his name, I am going to recognize Congressman Danielson.

Thank you very much for coming this morning.

Mr. DANIELSON. Thank you very much, Mr. Chairman.

I am sorry for being late. This is earlier than most committees, but somewhat later than the one chaired by General Montgomery.

I think he was always a farm boy and he is the one who awakens the chickens; but I am just not up to that.

I am of Swedish ancestry. The first thing my father used to do in the morning was put on the coffee pot and then he shut off the alarm, but I think General Montgomery is ahead of that in my opinion.

I did have the pleasure of visiting your cemetery in Rhode Island a few years ago along with my distinguished colleague, Mr. Beard. You may have been there. It was delightful Sunday afternoon we went out there. As I recall, this is situated surrounding what was a colonial cemetery of long, long ago. I trust that it is progressing as it was in 1974 or 1975, when ever it was that we were up there.

I don't really have anything to add here except that I do reserve my judgment on the bill, H.R. 6146. We are in a time of straitened financial circumstances. I have observed over the years that every time a door is opened it remains open. It never closes; and usually it gets a little bigger as time goes by.

People have told me at least that they want balanced budgets, reduced Federal spending, austerity throughout. Whether I am going along with that in this instance I have not made up my mind, but it is certainly a condition.

I have assisted veterans during my career in permitting the burial of a member of the family alongside or, in some cases, dual usage of the plot with the family. It isn't always the next of kin. It is a family member.

I am going to research my judgment and think of it carefully, but I still have observed that once we open a door it remains open, it usually becomes broader. I have a little problem figuring how this situation should be treated differently from that of Mrs. John Doe who may live in my district and who lives on some residue of social security from her husband's earnings and maybe a little welfare, and who is not able to provide a marker, possibly, for some loved ones.

I served in the military forces. My feeling was I was trying to defend my country and it did not give me a license to expect favors from my country. I yield back my time.

Mr. MONTGOMERY. Thank you very much for your comments. I appreciate your being here this morning.

Mrs. Holt and Mr. Blumenthal did testify on the bill and later on I will talk to you about some of the ideas.

It is really a kind of quirk in the law in that we do this in regional cemeteries and the Government will pay for the marker, and in State cemeteries, and I really like the idea—in Maryland they have five cemeteries now, and they have appropriated over $5 million in this fiscal year to run those cemeteries.

They are taking over some of the responsibility. Someone said it costs us $1,000 in Maryland. If we would pass the Holt bill some 20 dependents so far have been buried in those 5 cemeteries and these bronze markers cost about $53 a marker.

You make a good point. I agree when you open the door it goes further, but if we can encourage States to take over more of the responsibilities, we certainly are better off.

Mr. DANIELSON. I appreciate the chairman's comments.

As I say, I will reserve my judgment and one day I will make it; but I want in all honesty to let the public know how I think about these things.

Mr. MONTGOMERY. Thank you very much for being here this morning.

We have one more witness, Mr. Philip Riggin, who is with The American Legion. He is the deputy director, National Legislative Commission. I think Mr. Wilkerson is with him.

**STATEMENT OF PHILIP E. RIGGIN, DEPUTY DIRECTOR, NATIONAL LEGISLATIVE COMMISSION, THE AMERICAN LEGION, ACCOMPANIED BY PHILIP R. WILKERSON, SPECIAL ASSISTANT TO THE DIRECTOR, NATIONAL LEGISLATIVE COMMISSION, THE AMERICAN LEGION**

Mr. RIGGIN. Thank you, Mr. Chairman.

With me is Philip Wilkerson, special assistant to the director, National Legislative Commission, The American Legion.

Mr. Wilkerson will present the testimony. It is relatively brief testimony, as you can see from looking at it.

We will both be available to respond to any questions that the subcommittee may have after Mr. Wilkerson completes his presentation.

Mr. WILKERSON. We wish to express our appreciation for the opportunity to appear before this subcommittee this morning to offer comment on H.R. 6146 which proposes authorization for the provision of Government headstones and markers for the graves of certain close relatives of veterans, if such relatives are buried in a State veterans' cemetery. We also wish to include some brief remarks on the current status of the National Cemetery System.

Public Law 95–476 authorized the VA, among other things, to establish a matching grant program to assist States to establish, expand, or improve State veterans' cemeteries. The American Legion viewed this as an important step toward providing additional and appropriate burial space for our Nation's veterans. We have strongly supported the State veterans' cemetery concept as a supplement to the efforts of the National Cemetery System, particularly since such facilities would help to provide burial sites in areas and localities not readily served by an open national cemetery.

However, unless burial of the members of the veteran's immediate family is in a national cemetery, section 906(2), title 38, specifically precludes the provision of a Government headstone or marker for their grave.

In view of the fact that State veterans' cemeteries are ancillary to the National Cemetery System, we consider it entirely appropriate, therefore, when a member of the veteran's immediate family, the wife, husband, surviving spouse, minor child, and, in certain instances, the unmarried adult child, as enumerated in section 1002(5) as being eligible for burial in a national cemetery, are buried in a State veterans' cemetery that a Government headstone or marker should be authorized to mark their grave.

The American Legion supports the amendment of section 906(a) for this purpose, as proposed by H.R. 6146.

With regard to the status of the national cemetery program, The American Legion strongly supports the continuing efforts of the Department of Memorial Affairs to expand and improve the National Cemetery System.

In particular, we are pleased that final decisions have been made on the sites for new national cemeteries in Federal region IV at Fort Gillem, Ga., and in Federal region V at Fort Custer, Mich. It is hoped that necessary action will be taken as expeditiously as possible to turn this land over to the VA so that initial construction can begin.

The opening of these facilities is projected to be in 1983. At the present time new cemeteries at Quantico, Va., and Indiantown Gap, Pa., are being completed. The projected opening date for both facilities is July 1982.

With the recent establishment of new cemeteries, along with some expansion of existing cemeteries that is currently underway, the number of available and potential gravesites in the National Cemetery System will total approximately 4.5 million. We believe the Congress and the Department of Memorial Affairs are to be commended for the progress that has been made in the National Cemetery System

in the last 7 years since it was placed under the jurisdiction of the Veterans' Administration.

The American Legion's continuing concern is that those who have served this Nation in time of war shall have a place of honor for their final resting place. The high level of demand for burial in national cemeteries will undoubtedly continue well beyond the turn of this century.

We therefore urge that those projects to expand and improve existing cemeteries be completed as soon as possible.

At the same time, in looking to the future, it will be particularly important to initiate appropriate planning for further development of the system as necessitated by the changing demographic configuration of the veteran population to insure, insofar as possible, national cemetery facilities for the maximum number of veterans.

This concludes our formal remarks, and we will be glad to answer any questions.

Mr. MONTGOMERY. By your testimony you support H.R. 6146. I assume by your testimony that you are satisfied with the concept of the regional cemetery programs. Is that correct?

Mr. WILKERSON. Yes, sir, we are certainly in favor of the regional cemetery concept as it has been developed and we certainly think that it fulfills a particular need in the Nation for the Federal Government to provide national cemetery space around the country.

We think this is certainly a feasible concept. However, we do not believe that from a cost standpoint it would be effective to try to place a national cemetery in each and every State. Then there would be the problem of some States which are very large, a location would still not satisfy all the veterans in that locality.

We feel that certainly the State veterans cemetery concept is a viable alternative to the National Cemetery System and the regional cemetery concept.

Mr. RIGGIN. Mr. Chairman, through appropriations that are made available on an annual basis to allow States to participate in this system, I think Congress is therefore asking the State government to share some responsibility. You made that point very well a while ago. We both think that it is to the regional concept that encouragement of States to participate in this particular program by providing State cemeteries is certainly appropriate.

I don't think that the Federal Government can really be expected, as Mr. Wilkerson indicated, to provide a full national cemetery in every State in every locality. In larger States it would require 10 or 12 cemeteries. The States share some responsibility.

What is particularly appropriate about this bill is that cooperation will be extended to the provision of gravemarkers at Federal expense. I think it is also appropriate.

Mr. MONTGOMERY. Thank you very much. I had mentioned that I had been in your State. I went to the regional cemetery in Riverside, Calif., and the one in San Francisco.

I thought he was telling me they were interring about seven a day and they thought it would have been more. It could have been seven a week, but they really were not getting as many as they thought they would.

I yield to the gentleman.

Mr. DANIELSON. I thank the chairman. At Riverside, with which I am quite familiar, I am told it is per day. In fact, within the last 2 months I talked with someone and I understood it was a greater figure than 7, maybe 10 or 11 a day.

I think it illustrates one of the facts that I seem to remember. I am hedging because memory betrays us. But I seem to recall that a very few years ago when I had the chairmanship of that function approximately 10 percent of all veterans who died optioned for burial in a national cemetery.

Increase that slightly, call it 20 percent. That still leaves 80 percent who opt to be buried at home, in their church cemetery or the local cemetery nearest to their place of residence which is very understandable. Very probably other members of that veteran's family are buried there, his or her parents or brothers and sisters.

There seems to be a desire in many people to be buried alongside other members of their family.

Second, there is an understandable desire to be buried fairly close to home where on Memorial Day and other occasions it is simple for the survivors to visit and decorate the grave.

I don't know the figures today. Maybe Mr. Noll could tell us. I would venture that 20 percent is still pretty close to home as to the number of veterans who opt to be buried in a national cemetery. That is not a dislike of the national cemetery, but it is counterbalanced by the other factors that I have mentioned.

One of you gentlemen mentioned that existing facilities provide sites for 4½ million burials. If that is true—and I don't quarrel with it—I am just not familiar with the number—we now have enough available sites to take care of a veteran population of 22.5 million if you go on the basis of 20 percent burials in national cemeteries. That I believe does not count the quantity of a facility which is not yet open or the Indiantown Gap facility which is not yet open.

It could be, Mr. Chairman, that we have about topped out on the number that are needed except for the geographical distribution.

I note that the site for southeastern United States apparently has now been designated as Fort Gillem, Ga., which I find very regrettable. Our committee located a far better site, infinitely better site, just across the river in Alabama, from Fort Benning, Ga., Fort Mitchell.

I know Mr. Noll was present and I am sure he can carry the messages to the director of the VA and any other persons concerned.

This is May 1980. The budget for the Veterans' Administration for the next year is still several months off. I notified the Veterans' Administration 4 years ago that I would insist that any appropriations be authorized by this committee before they came up on the floor.

I yielded to the persuasions of my chairman when the time came. Please don't bother that appropriation. We will authorize next year. But we didn't. The following year we did not again.

It would have been a little unfair for me to obstruct at that time because they didn't have notice that I meant what I was saying.

In May 1980, the Veterans' Administration has notice that in the following year I will insist upon following the rules of the House of Representatives, and no appropriation will come up for debate on

the floor of the House of Representatives which has not theretofore been authorized by this committee.

I know there is a lot of misinformation floating around that the Veterans' Administration doesn't need authorization. To show who suffers from that misapprehension, I urge that they read the rules of the House of Representatives which provide in so many words that no appropriation bill is in order that has not theretofore been authorized by an authorization bill of the committee having substantive jurisdiction. That is a rule of the House. It is not the law of the land, but it governs the flow of the relationship through the House of Representatives, and I propose to enforce it in the next year.

With 9 months of previous notice, it would be inexcusable malfeasance in office for the VA not to get out its computers and lead pencils and paper and start preparing an authorization bill. I shall make this a matter of record both by correspondence with the appropriate offices and in the Congressional Record, as I feel today in this committee, so that no one will be in the position of saying, Mr. Danielson, won't you please relent because we really didn't have notice.

Mr. Chairman, those responsible have notice and the abuse of the request of this committee for proper consideration of Fort Mitchell is, in my opinion, a gross example of the arrogance of the executive department in disregarding the wish of the Congress and the voice of the American people.

Here we could have a cemetery beautifully located, magnificent terrain, free of charge, centrally located to the entire southeastern population in an historic time-hallowed area going back to Colonial times. So we are stuck with a piece of ground on the outskirts of a large city.

Mr. Chairman, I yield back my time but I commend to anybody concerned that they read the rules of the House of Representatives which govern the flow of legislation into the House of Representatives.

Mr. MONTGOMERY. I certainly appreciate what the gentleman has said. The gentleman is one of the best parliamentarians I have known, and I have been in the State legislature and also in the national Congress. I appreciate him being willing to take the time to see that there is the proper authorization and that we just don't let the appropriations committee run the show. I think this will certainly get some more action that needs to be taken.

Thank you very much for that. I yield.

Mr. DANIELSON. I want to commend Mr. Wilkerson and Mr. Riggin. Maybe I reversed the order of seniority there.

I think The American Legion has always done a fine job for veterans in this country. I am delighted to see two younger men there, not that you and I couldn't handle the job very well, but I am glad to see some nice red corpuscles out here handling the work of the Legion. I am glad to see some younger veterans stepping into the responsibility.

Mr. MONTGOMERY. I certainly agree with what you say.

If we have no other witnesses, the subcommittee now stands adjourned.

[Whereupon, at 9:55 a.m., the subcommittee was adjourned.]

[The following statement was submitted subsequent to the hearing:]

V F W VETERANS OF FOREIGN WARS OF THE UNITED STATES

NATIONAL LEGISLATIVE SERVICE

Office of Director

STATEMENT OF

PHILIP R. MAYO, SPECIAL ASSISTANT
NATIONAL LEGISLATIVE SERVICE
VETERANS OF FOREIGN WARS OF THE UNITED STATES

TO THE

SUBCOMMITTEE ON COMPENSATION, PENSION, INSURANCE, AND MEMORIAL AFFAIRS
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO
OVERSIGHT OF THE NATIONAL CEMETERY SYSTEM ADMINISTERED BY THE
DEPARTMENT OF MEMORIAL AFFAIRS OF THE VETERANS ADMINISTRATION

WASHINGTON, D. C.

MAY 12, 1980

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for your invitation to present to this distinguished Subcommittee the views of the Veterans of Foreign Wars of the United States with respect to oversight of the National Cemetery System as administered by the Department of Memorial Affairs of the Veterans Administration.

Mr. Chairman, as you are aware, Public Law 93-43, cited as the "National Cemeteries Act of 1973," transferred the National Cemetery System from the auspices of the Department of the Army to the Veterans Administration, with the exception of the Arlington National Cemetery and the Soldiers' Home National Cemetery, located in Washington, D. C. Enactment of this legislation is a milestone in the history of national cemeteries and represents the fulfillment of a long-standing V.F.W. goal.

However, with respect to Arlington National Cemetery, it continues to be the position of the V.F.W. that this cemetery be included within the VA's Cemetery System. We believe, as well, it should be an open cemetery without the restrictions under which it has operated since 1967, thereby making it more a cemetery for the rank and file veteran who fought for this Nation rather than for the elite.

In addition, the V.F.W. has been mandated for a number of years as currently

embodied in Resolution No. 721, a copy of which is appended to my testimony, to seek the establishment of an open national cemetery in every state so that our veterans may be interred reasonably close to their survivors. This is also one of our priority legislative goals, and the delay of its implementation serves to prevent veterans from seeking the use of such facilities through the VA and to seek them through other sources generally at greater expense. Twelve states do not have a national cemetery: Connecticut, Delaware, Idaho, Montana, Nevada, New Hampshire, North Dakota, Rhode Island, Utah, Vermont, Washington, and Wyoming. Moreover, in five of the states that have at least one national cemetery, interments are no longer being accepted. Alabama has one national cemetery and it is closed; Arizona, one, and it is closed; Maine, one, and it is closed; Maryland, three, and they are closed; and New Jersey, two, and they are closed. Not only do we believe that providing an open national cemetery in every state is the responsibility of the Federal Government, inasmuch as our veterans were inducted into military service by that Government, but also that the maintenance of such cemeteries would be best served under Federal auspices rather than through other means. This has been the essence of the views of our National Officers as a result of their many journeys to the various states. In further amplification of this view, Public Law 95-476 authorizes the Administrator of Veterans' Affairs to provide financial assistance on a 50-50 matching basis to states that wish to establish, improve, or expand their veterans' cemeteries, with any state being eligible to apply for such financial assistance for those purposes. The best information available to us indicates that even though more than 30 states have expressed an interest in the State Cemetery Grants Program, only four states have submitted a formal application to participate therein. In addition, we do not believe in the need of costly shrines embracing hundreds of acres of land far from the homes of veterans as national cemeteries, but that smaller cemeteries would suffice, in most states, for the interment of those veterans desiring a final resting place with their departed comrades.

Mr. Chairman, the delegates to our most recent Convention also adopted Reso-

lution No. 762, entitled "Continue Veterans Administration Burial Allowance," a copy of which is appended to my testimony. This resolution, the thrust of which is also a V.F.W. priority legislative goal, opposes the advancement of legislation which would eliminate the payment of the VA burial allowance even though a smaller Social Security benefit for such is paid upon the death of a veteran. We believe that such a benefit accrues to, and underscores the speciality of, veterans by virtue of their service to their country.

The V.F.W. also wishes to register its concern with respect to the probable adverse impact on national cemeteries maintained under the auspices of the Department of Memorial Affairs of the VA as may be brought about by personnel and budgetary constraints being imposed upon its resources.

We recognize that certain economies will necessarily be undertaken, but sincerely hope and trust that every means available will be utilized to maintain those cemeteries at the high standard that they currently enjoy.

Mr. Chairman, as has been previously acknowledged, the V.F.W. appreciates your continuing great interest in preserving the integrity of the various benefit programs made available to our Nation's very special veterans.

Resolution No. 721

CONTINUE EXPANSION OF THE NATIONAL CEMETERY SYSTEM

WHEREAS, it is a privilege, established by law, for every qualified military veteran to be buried in a plot furnished by the Federal Government; and

WHEREAS, the proposed Regional National Cemetery System is currently not capable of being utilized conveniently by the families of qualified deceased military veterans; and

WHEREAS, the Veterans Administration has recently been authorized to develop and maintain Regional National Cemeteries in California, in Pennsylvania, in Massachusetts and near Washington, D.C. only; and

WHEREAS, great inconveniences are usually suffered by the bereaved members of the veteran's family when the only available place of interment is at a great distance from the former home of the deceased veteran; now, therefore

BE IT RESOLVED, by the 80th National Convention of the Veterans of Foreign Wars of the United States, that we request the Congress of the United States to continue the expansion of the National Cemetery System, and to provide for at least one National Cemetery in each state of the Union for the exclusive use of military veterans who qualify for interment there.

Adopted by the 80th National Convention of the Veterans of Foreign Wars of the United States held in New Orleans, Louisiana, August 17-24, 1979.

Resolution No. 721

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